

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Joe Butscher in a telephone interview on June 22, 2011.

The application has been amended as follows:

Please amend claim 1:

Claim 1. A medical instrument for use in an image guided surgery system, comprising:

a medical instrument comprising:

a support member operatively connected to a flexible engaging member having an operative distal tip; ~~and~~

a upper and lower strain gauges affixed to an outer portion of said flexible engaging member, wherein said upper and lower strain gauges are configured to detect movement of said operative distal tip of said flexible engaging member and generate deflection data signals;

a tracking system configured to track said medical instrument;

a control system configured to correlate said deflection data signals from said upper and lower strain gauges with amounts of deflection of the flexible engaging member and further configured to combine tracking information from the tracking system with the deflection data; and

a display configured to display a position of the medical instrument including the position of the flexible engaging member over previously obtained images of a patient.

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Any inquiry concerning this communication should be directed to BRIAN
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/BRIAN CASLER/
Supervisory Patent Examiner, Art Unit 3737

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Art Unit 3737